

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NADRECA REID,

Plaintiff,

-against-

LARUCE INC.,

Defendant.
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22-CV-10232 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on December 2, 2022, (Doc. 1), and filed an affidavit of service on January 20, 2023, (Doc. 5). The deadline for Defendant to respond to Plaintiff's complaint was January 31, 2023. (*See* Doc. 5.) On February 1, 2023, I directed Plaintiff to seek default judgment by no later than February 15, 2023. (Doc. 6.) I warned, "If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss Plaintiff's claims for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b)." (*Id.*) To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has not sought default judgment or taken any action to prosecute this case.

Accordingly, Plaintiff's claims are dismissed without prejudice pursuant to Rule 41(b). The Clerk of Court is respectfully directed to terminate this action.

SO ORDERED.

Dated: February 16, 2023
New York, New York



VERNON S. BRODERICK
United States District Judge